

Friday, July 12, 2002 at 1:21 p.m., and said to contain a message from the President whereby he transmits the District of Columbia's Fiscal Year 2003 Budget Request Act.

Sincerely yours,

MARTHA C. MORRISON,
Deputy Clerk.

DISTRICT OF COLUMBIA FISCAL YEAR 2003 BUDGET REQUEST ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107—)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

Pursuant to my constitutional authority and consistent with sections 202(c) and (e) of the The District of Columbia Financial Management and Responsibility Assistance Act of 1995 and section 446 of The District of Columbia Self-Governmental Reorganization Act as amended in 1989, I am transmitting the District of Columbia's Fiscal Year 2003 Budget Request Act.

The proposed FY 2003 Budget Request Act reflects the major programmatic objectives of the Mayor and the Council of the District of Columbia. For FY 2003, the District estimates total revenue and expenditures of \$5.7 billion.

GEORGE W. BUSH,
THE WHITE HOUSE, July 11, 2002.

REMEMBERING OUR VETERANS THROUGH SERVICE ORGANIZATIONS

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, 1941 was a banner year for American baseball and baseball in the American League, as it were. In that year Joe DiMaggio hit in 56 games straight, and Ted Williams batted 406. These are not the important historical facts, although they are great for those of us who follow baseball, but both of them did something extraordinary. Joe DiMaggio, very soon after that wonderful streak, entered the United States Army and served until 1946 as a noncommissioned officer in the United States Army. Ted Williams went into the Air Force, or Army, and served the balance of the war in his branch of the service.

Then dramatically twice after that, Ted Williams reported back for duty and served in the Korean conflict. These are the great Americans that we remember and we will continue to remember through the service organizations which we will discuss a little bit later.

CORPORATE GREED

(Mr. BROWN of Ohio asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, this morning in Birmingham, President Bush gave another speech aimed at restoring investor confidence at the same time the country's equity markets were well on their way to a sixth day of losses. Why is that?

Could it be because so many administration officials in the Bush White House are themselves former corporate CEOs, lawyers, or accountants who lack the moral authority or the will to change corporate practices, or even to enforce current law? Or could it be because in the middle of the current financial crisis, the President and the Vice President have been forced to answer questions about their own ethics and business practices as oil company CEOs? Or could it be, because despite his rhetorical calls for corporate America to clean up its act, the President continues to oppose real reform on Capitol Hill?

Maybe, Mr. Speaker, with the recent spate of corporate collapses, the American people have begun to wonder whether running the company like a corporation, as the President and Vice President have promised, is all that good an idea.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on motions to suspend the rules ordered prior to 6:30 p.m. will be taken today. Record votes on remaining motions to suspend the rules will be taken tomorrow.

CYBER SECURITY ENHANCEMENT ACT OF 2002

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3482) to provide greater cybersecurity, as amended.

The Clerk read as follows:

H.R. 3482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cyber Security Enhancement Act of 2002".

TITLE I—COMPUTER CRIME

SEC. 101. AMENDMENT OF SENTENCING GUIDELINES RELATING TO CERTAIN COMPUTER CRIMES.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend its guidelines and its policy statements applicable to persons convicted of an offense under section 1030 of title 18, United States Code.

(b) REQUIREMENTS.—In carrying out this section, the Sentencing Commission shall—

(1) ensure that the sentencing guidelines and policy statements reflect the serious nature of the offenses described in subsection (a), the growing incidence of such offenses, and the need for an effective deterrent and appropriate punishment to prevent such offenses;

(2) consider the following factors and the extent to which the guidelines may or may not account for them—

(A) the potential and actual loss resulting from the offense;

(B) the level of sophistication and planning involved in the offense;

(C) whether the offense was committed for purposes of commercial advantage or private financial benefit;

(D) whether the defendant acted with malicious intent to cause harm in committing the offense;

(E) the extent to which the offense violated the privacy rights of individuals harmed;

(F) whether the offense involved a computer used by the government in furtherance of national defense, national security, or the administration of justice;

(G) whether the violation was intended to or had the effect of significantly interfering with or disrupting a critical infrastructure; and

(H) whether the violation was intended to or had the effect of creating a threat to public health or safety, or injury to any person;

(3) assure reasonable consistency with other relevant directives and with other sentencing guidelines;

(4) account for any additional aggravating or mitigating circumstances that might justify exceptions to the generally applicable sentencing ranges;

(5) make any necessary conforming changes to the sentencing guidelines; and

(6) assure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

SEC. 101A. STUDY AND REPORT ON COMPUTER CRIMES.

Not later than May 1, 2003, the United States Sentencing Commission shall submit a brief report to Congress that explains any actions taken by the Sentencing Commission in response to this Act and includes any recommendations the Commission may have regarding statutory penalties for offenses under section 1030 of title 18, United States Code.

SEC. 102. EMERGENCY DISCLOSURE EXCEPTION.

(a) IN GENERAL.—Section 2702(b) of title 18, United States Code, is amended—

(1) by striking "or" at the end of paragraph (5);

(2) by striking subparagraph (C) of paragraph (6);

(3) in paragraph (6), by inserting "or" at the end of subparagraph (A); and

(4) by inserting after paragraph (6) the following:

"(7) to a Federal, State, or local governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications relating to the emergency."

(b) REPORTING OF DISCLOSURES.—A government entity that receives a disclosure under this section shall file, no later than 90 days after such disclosure, a report to the Attorney General stating the subparagraph under which the disclosure was made, the date of the disclosure, the entity to which the disclosure was made, the number of customers or subscribers to whom the information disclosed pertained, and the number of communications, if any, that were disclosed. The